

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 6006-146

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

22581 U.S. PTO
10/803392

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

Transmitted herewith for filing is the patent application of

Inventor(s): BANAS, Christopher E. and ROSENBAUM, David G.

For (title): ENDOLUMINAL STENT HAVING MID-STRUT INTERCONNECTING MEMBERS

1. Type of Application

This new application is for a(n)

- ☒ Original
☐ Design
☐ Divisional
☐ Continuation
☐ Continuation-in-part (CIP) under 37 CFR 1.53 (b)

2. Benefit of Prior Application(s) (35 USC §120)

- ☒ The new application being transmitted claims the benefit of pending provisional patent application Serial No. 60/455,783, filed March 19, 2003.

CERTIFICATION UNDER 37 CFR §1.10

I hereby certify that this Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date March 16, 2004 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER 215148286 US addressed to: Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lori Dunham
(Type or print name of person mailing paper)


(Signature of person mailing paper)

3. Papers Enclosed Which Are Required For Filing Date Under 37 CFR §1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

23 Pages of specification containing:

Descriptive Title of the Invention
Cross References to Related Applications
Background of the Invention
Brief Summary of the Invention
Brief Description of the Drawings
Detailed Description
Claim(s)
Abstract of the Disclosure

7 Sheets of drawings

☐ formal
☒ informal
☒ in triplicate

4. Additional papers enclosed

☐ Preliminary Amendment
☐ Information Disclosure Statement
☐ Form PTO-1449
☐ Citations
☐ Declaration of Biological Deposit
☐ Special Comments
☐ Other

5. Declaration of oath

☒ Enclosed and executed by (*check **all** applicable boxes*)
☒ inventor(s)
☐ legal representative of inventor(s) 37 CFR §1.42 or 1.43
☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
☐ this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached.
☐ Not Enclosed. Will be submitted under separate cover.

6. Nucleotide and/or Amino Acid Sequence Submission

- ☐ Computer Readable Form (CFR)
- ☐ Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ Paper
- ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

7. Inventorship Statement

The inventorship for all the claims in this application are:

- ☒ The same **or**
- ☐ Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,
 - ☐ is submitted
 - ☐ will be submitted.

8. Language

- ☒ English
- ☐ non-English
- ☐ the attached translation is a verified translation. 37 CFR §1.52(d).

9. Assignment

- ☒ An assignment of the invention to Advanced Bio Prosthetic Surfaces, Ltd.
- ☒ is attached
- ☐ will follow

10. Fee Calculation**A. ☒ Regular application**

CLAIMS AS FILED						
Number Filed		Number Extra		Rate		Basic Fee
						\$770.00
Total Claims	9 - 20 =	0		X	\$ 18.00	\$ 0.00
Independent Claims	1 - 3 =	0		X	\$ 86.00	\$ 0.00
Multiple dependent claim(s), if any					\$290.00	\$ 0.00

- ☐ Amendment cancelling extra claims enclosed
- ☐ Amendment deleting multiple dependencies enclosed
- ☐ Fee for extra claims is not being paid at this time

Filing Fee Calculation \$770.00

11. Small Entity Statement(s)

- ☐ Applicant asserts small entity status and this application is being filed as a small entity under 37 CFR 1.27.

12. Fee Payment Being Made At this Time

- ☐ Not Enclosed
- ☐ No filing fee is to be paid at this time.
- ☒ Enclosed
- | | |
|--|-----------------|
| <input checked="" type="checkbox"/> basic filing fee | \$770.00 |
| <input checked="" type="checkbox"/> recording assignment (\$40.00; 37 CFR §1.21(h)(1)) | \$ 40.00 |
| <input type="checkbox"/> petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. (\$130.00; 37 CFR §1.47 and 1.17(h)) | \$ |
| <input type="checkbox"/> for processing an application with a specification in a non-English language. (\$130.00; 37 CFR §1.52(d) and 1.17(k)) | \$ |
| <input type="checkbox"/> processing and retention fee (\$130.00; 37 CFR §1.53(d) and 1.21(l)) | \$ |
| Total fees enclosed | \$810.00 |

13. Method of Payment of Fees

- ☐ check in the amount of \$
- ☒ charge Account No. 18-2000 in the amount of \$ 810.00. A duplicate of this transmittal is attached.

14. Authorization to Charge Additional Fees

- ☐ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. _____:
- ☐ 37 CFR §1.16 (filing fees)
 - ☐ 37 CFR §1.16 (presentation of extra claims)
 - ☐ 37 CFR §1.16(e) (surcharge for the filing of the basic filing fee and/or declaration on a date later than the filing date of the application)
 - ☐ 37 CFR §1.17 (application processing fees)
 - ☐ 37 CFR §1.18 (issue fee at or before mailing of Notice of Allowance, 37 CFR §1.311(b)).
- ☒ Please charge any deficiency in the fees enclosed herewith to Deposit Account No. 18-2000. A duplicate copy of this transmittal letter is enclosed.

15. Instructions As to Overpayment

- ☒ credit Account No. 18-2000
- ☐ refund

Reg. No. 31,872

Tel. No. (847) 770-6000
Fax No. (847) 770-6006


SIGNATURE OF ATTORNEY

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: C. Banas and D. Rosenbaum
SERIAL NO.:
FILING DATE: Herewith
TITLE: ENDOLUMINAL STENT WITH MID-STRUT
INTERCONNECTING MEMBERS

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10

I hereby certify that the attached UTILITY PATENT APPLICATION, ALONG WITH ALL NECESSARY ASSOCIATED AND TRANSMITTAL DOCUMENTS AND FEES are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Mailing Label No. ER215148286 US on the date indicated below and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lori Dunham
(Person Signing Certificate)


(Signature)

March 18, 2004
(Date of Signature)